

North Carolina Consolidated Appropriations Act Fisheries Relief Program (CARES Act II)

Application/Spending Plan

1. Applicant Name (Sub-Award)

North Carolina Department of Environmental Quality, Division of Marine Fisheries

2. Introduction

CARES Act I Summary

The Coronavirus Aid, Relief, and Economic Security (CARES) Act authorized the U.S. Secretary of Commerce to provide \$300 million for economic assistance to affected fishery participants due to the coronavirus (COVID-19) pandemic. On May 7, 2020, the Secretary of Commerce announced the allocation of \$300 million to states, Tribes, and territories with coastal and marine fishery participants (NOAA Fisheries 2020). Funds for the Atlantic coastal states were awarded to the Atlantic States Marine Fisheries Commission (ASMFC), who provided sub-awards to the Atlantic coastal states once the National Oceanic and Atmospheric Administration (NOAA) Fisheries approved each individual state's spending plan. North Carolina was notified of eligibility to receive \$5,416,773¹ (ASMFC 2020 and Appendix 1). The North Carolina Division of Marine Fisheries (NCDMF) subsequently prepared a detailed spending plan to allocate these funds across three stakeholder groups: 1) commercial fishermen and marine aquaculture operations, 2) seafood dealers and processors, and 3) for-hire fishing operations. NCDMF distributed its funds via direct payments to stakeholders that submitted valid applications with a demonstrated revenue loss of greater than 35% between March 1 to May 31, 2020.

For the NC CARES Act Fisheries Relief Program (herein called CARES Act I), NCDMF mailed applications to 6,736 stakeholders, of which 291 completed applications were received. NCDMF created an internal senior review committee to evaluate applications and corresponding documentation. Of the 291 applications submitted, two-thirds were approved for direct payments (Table 2). While most applications and approvals occurred in the fisherman/aquaculture category, seafood dealers and processors and for-hire operations exhibited the highest approval rates (80% and 87%, respectively). Only sixteen appeals were submitted, with most of these denied by NCDMF (Table 1). After \$161,287 was set aside for NCDMF administrative costs, \$5,255,486 was distributed to approved applicants. The original allocation to each stakeholder group was set by NOAA Fisheries ratios of contribution (Table 4; NOAA Fisheries 2020; Appendix 2). The seafood dealer and processor ratio and the for-hire operation ratio were amended once the for-hire operations had reached 100% of their losses. The extra \$827,074.44 was moved from the for-hire operations' allocation to the seafood dealers and processors allocation, which changed the for-hire operations' ratio from 24% to 8.26% and the seafood dealer and processors ratio from 11.8% to 27.54%. This allocation adjustment resulted in a 40% loss covered for seafood dealers and processors instead of only 17% coverage (Table 3).

¹State allocation has been adjusted to account for administration fees as allowed under the CARES Act. NOAA Fisheries' administrative fees (~0.7%) and ASMFC's administrative fees of (0.1%) are below the CARES Act maximum fee of 2%. These fees will be used to reimburse expenses for the allocation and distribution of the funding.

Table 1: Summary statistics of CARES ACT I applications by stakeholder method of engagement with NCDMF.

Number of:	Method of Engagement				
	Mail	Drop box/ In person	Email	Phone/Fax	Total
Received Applications	230	54	6	1	291
Received Appeals	9	3	1	3	16

Table 2: Summary statistics of CARES ACT I applications by stakeholder category.

Number of:	Stakeholder Categories			
	Fishermen/ Aquaculture Operations	Seafood Dealers/ Processors	For-Hire Fishing Operations	Total
Received Applications	217	35	39	291
Approved Applications	137	26	34	197
Denied Applications	80	9	5	94
Received Appeals	12	3	1	16
Approved Appeals	4	2	0	6
Denied Appeals	8	1	1	10

Table 3: Summary statistics of CARES Act I check amounts¹ by stakeholder category.

Summary Statistic	Stakeholder Categories		
	Fishermen/ Aquaculture Operations	Seafood Dealers/ Processors	For-Hire Fishing Operations
Total Amount Paid	\$3,374,022	\$1,447,221	\$434,243
Average Check Amount	\$23,929	\$51,686	\$12,772
Percent of Claimed Loss Recovered via Checks	79%	40%	100%

¹All values are rounded to the nearest whole dollar.

CARES Act II Introduction

On March 29, 2021, NOAA Fisheries announced the allocation of an additional \$255 million in assistance (NOAA 2021), funded through the Consolidated Appropriations Act of 2021 (CAA, 2021). Of this \$255 million, \$4,545,946 was allocated to the state of North Carolina (NOAA 2021), which initiated the NC Consolidated Appropriations Act Fisheries Relief Program II (CARES Act II). Like CARES Act I funds, CARES Act II funds will be distributed via the ASMFC to provide financial relief to affected commercial fishermen and aquaculture operations, seafood dealers and processors, and for-hire operations in the state.

Because of the similar guidance in relief distribution between CARES Act I and CARES Act II, NCDMF plans to distribute relief aid to the same stakeholder categories as in CARES Act I and will continue to

employ direct payments as the primary channel for the distribution of monies. However, as a result of experiences from the CARES Act I approach, NCDMF proposes certain changes to the direct payment process, specifically related to eligibility determination for commercial fishermen, aquaculture operations, and seafood dealers. Using the approach from the approved CARES Act I spending plan, the following spending plan for CARES Act II will provide an overview of the intended approach, with a specific focus on how the methods deviate from that used during CARES Act I. While reviewing the approach below, any omitted details should be defaulted to that of CARES Act I.

3. Approach

Overview

NCDMF will administer federal CARES Act II fishery relief funds to North Carolina's approved applicants as direct payments after a sub-award is allocated by ASMFC. In a deviation from the CARES Act I approach, NCDMF will focus heavily on using North Carolina Trip Ticket Program (NCTTP) landings data to determine which commercial fisherman/aquaculture operation participants and seafood dealer participants pre-qualify for the greater than 35% loss threshold. Pre-qualified applicants will be given the option to use NCTTP data when submitting their application. Due to the lack of data for the for-hire operation participants and seafood processors, along with part of the commercial fishermen and aquaculture operation participants, these stakeholders will still be required to submit revenue documentation with their application. Additionally, participants not pre-approved will still be able to apply but must provide their own revenue documentation to meet the eligibility requirements. All applications will undergo the same review process as CARES Act I, which includes a Program staff's recommendation, a review committee screening, and an appeal period, if necessary.

ASMFC is developing a sub-award template that NCDMF will complete to initiate executing a contract. Once the NCDMF spending plan is approved and ASMFC submits the plan in the Grants Online portal, ASMFC will be able to provide a sub-award to NCDMF. At that point, ASMFC will be invoiced in the amount of \$11,393.25 for administrative costs. Once all applications for assistance are submitted by NCDMF and received by ASMFC, NCDMF will submit an additional invoice in the amount of \$4,385,704 for economic relief to North Carolina's affected stakeholders; this total amount accounts for the removal of \$160,242 to cover NCDMF administration costs. Applicants will be required to submit a Substitute W-9 to be registered in the North Carolina Accounting System in order to create an account to receive direct payments. NCDMF will collect this documentation from all applicants and will provide it to the NC Department of Environmental Quality (NCDEQ) Financial Services Division. The NCDEQ Financial Services Division will be responsible for working with the NCDEQ Controller's office to load applicants into the North Carolina Accounting System. After eligibility requirements and allocations have been determined, NCDMF will compile the amount of funds and applicant information and submit a password protected secure spreadsheet to the NCDEQ Financial Services Division who will disburse (i.e., cut and mail a check) the funds to the applicants through the state's financial system.

Timeline

Upon review of commercial landings data from North Carolina for the year 2020, it was determined that the most effective use of relief monies would be to compensate stakeholders for losses occurring

from the start of the COVID-19 pandemic through the rest of 2020. For this reason, the timeframe considered for relief is March 1, 2020 to December 31, 2020. However, in order to avoid double-counting, NCDMF will remove the value accrued by stakeholders who received relief monies through CARES Act I.

Allocation

A total of \$4,545,946 in CARES Act II funds has been designated to North Carolina. This takes into account an ASMFC administrative fee, totaling \$11,393.25. Additionally, an NCDMF administrative fee totaling \$160,242 will be removed from this total allocation, resulting in \$4,385,704 available for relief to eligible stakeholders. Direct assistance will be provided to North Carolina residents falling into one of the following three categories: 1) commercial fishermen and aquaculture operations, 2) seafood processors and dealers, and 3) for-hire fishing operations (Table 4). The designated funds per stakeholder category are based on the same NOAA Fisheries ratios of contribution used in CARES Act I (NOAA Fisheries 2020; Appendix 2).

Table 4. Allocation of funds per affected stakeholder category based on stakeholder's ratio of contribution.

Affected Eligible Stakeholder Category	Ratio in Percent ¹	Allocation of Funds
Commercial Fishermen and Aquaculture Operations	64.2%	\$2,815,622
Seafood Dealers and Processors	11.8%	\$517,513
For-Hire Fishing Operations	24.0%	\$1,052,569
Total	100%	\$4,385,704

¹Ratio contribution provided from NOAA Fisheries 2020 (Appendix 2).

Eligibility Determination and Outreach

Once approved by NOAA Fisheries and a sub-award is established between ASMFC and NCDMF, implementation of the spending plan will be initiated (see *Milestone Schedule* section for timeline). Prior to contacting stakeholders, NCDMF will analyze NCTTP landings data to determine which commercial fishermen/aquaculture operation participants and seafood dealer participants pre-qualify for the greater than 35% loss threshold. This will be done by comparing the total value of landings reported from each license holder from March 1, 2020, to December 31, 2020, to the annual average over the same time period from 2015 to 2019. These stakeholders will then be characterized as “pre-qualified” or “initially denied.”

Pre-approved applicants will be given the option to use NCTTP data without having to provide any further revenue documentation. Initially denied applicants will be able to provide their own revenue values if they also provide supporting revenue documentation demonstrating qualification for assistance. If no supporting documentation is provided, NCDMF staff will use NCTTP values, regardless of whether the applicant was pre-approved or initially denied. Applicants who do not participate in the NCTTP (e.g. for-hire operations, seafood processors, and commercial fisherman with out of state

landings) must provide their own values and supporting documentation, or their applications will be denied, as NCDMF does not have a way to internally verify their revenue.

Once pre-qualifications are determined, NCDMF will mail application packets to each individual with a Standard Commercial Fishing License (SCFL), Retired Standard Commercial Fishing License (RSCFL), Shellfish License without a SCFL, Dealer's License, or any in-state for-hire license. Application packets will include a cover letter (Appendix D), an application form, a self-certifying affidavit, and a NC Substitute W-9 form (Appendix E). Applicants who participate in the NCTTP will be informed of their qualification status in their cover letter. In all, seven different cover letter formats will be developed; each of these are described below:

- Pre-approved commercial fisherman/aquaculture operation **or** seafood dealer
 - o This letter explains the CARES Act II program and alerts the stakeholder that they meet the greater than 35% loss threshold based on NCTTP data and explains they can either choose to use NCTTP data or they can provide their own revenue values. If they choose to provide their own revenue values, they must provide supporting revenue documentation. Note: recipients of this letter will only be licensed as either a commercial fisherman/aquaculture operation or seafood dealer, not both.
- Initially denied commercial fisherman/aquaculture operation **and/or** seafood dealer
 - o This letter explains the CARES Act II program and alerts the stakeholder that they did not meet the greater than 35% loss threshold based on NCTTP data. This letter also explains the necessary revenue documentation required for submitting the application if they still choose to do so. Note: recipients of this letter can be licensed as either a commercial fisherman/aquaculture operation, a seafood dealer, or both. If they fall under both stakeholder categories, then they are initially denied for both categories.
- Pre-approved commercial fisherman/aquaculture operation **and** seafood dealer for **one** category
 - o This letter explains the CARES Act II program and alerts the stakeholder that they meet the greater than 35% loss threshold as a commercial fisherman/aquaculture operation or seafood dealer, but not the other. This letter explains they can either choose to use NCTTP data for their pre-qualified category, or they can provide their own revenue values for either category with supporting revenue documentation. This letter will also explain that the stakeholder must choose a category and cannot apply for both. Note: recipients of this letter will be licensed as both a commercial fisherman/ aquaculture operation and dealer, but only pre-qualified for one of the two categories.
- Pre-approved commercial fisherman/aquaculture operation **and** dealer for **both** categories
 - o This letter explains the CARES Act II program and alerts the stakeholder that they meet the greater than 35% loss threshold as both a commercial fisherman/aquaculture operation and a seafood dealer. This letter also explains they can either choose to use NCTTP data or they can provide their own revenue values with supporting revenue documentation. The letter will also explain that the stakeholder must choose a category and cannot apply for both. Note: recipients of this letter will be licensed as both a commercial fisherman/aquaculture operation and seafood dealer and have pre-qualified for both categories.
- Pre-approved commercial fisherman/aquaculture operation or dealer **with** a for-hire license
 - o This letter explains the CARES Act II program and alerts the stakeholder that they meet the greater than 35% loss threshold as a commercial fisherman/aquaculture operation

and/or seafood dealer. This letter also explains they can either choose to use NCTTP data or they can provide their own revenue values with supporting revenue documentation. The letter will also contain a note recognizing the stakeholder's possession of a for-hire fishing license, with instructions on how to apply for relief through that category as well. The letter will also explain that the stakeholder must choose a category and cannot apply for more than one. Note: recipients of this letter will be licensed as a pre-qualified commercial fisherman/aquaculture operation and/or seafood dealer and will also be in possession of an active North Carolina for-hire fishing license.

- Initially denied commercial fisherman/aquaculture operation or dealer **with** a for-hire license
 - o This letter explains the CARES Act II program and alerts the stakeholder that they did not meet the greater than 35% loss threshold as a commercial fisherman/aquaculture operation and/or dealer. It also explains the necessary revenue documentation required for submitting the application if they still choose to do so. The letter will also contain a note recognizing the stakeholder's possession of a for-hire fishing license, with instructions on how to apply for relief through that category as well. The letter will also explain that the stakeholder must choose a category and cannot apply for more than one. Note: recipients of this letter will be licensed as an initially denied commercial fisherman/aquaculture operation and/or seafood dealer and will also be in possession of an active North Carolina for-hire fishing license.
- Basic for-hire invite
 - o This letter will be sent to anyone that only possesses an active North Carolina for-hire fishing license and will explain the CARES Act II program and alert the stakeholder of how to apply for relief through this category.

For eligible stakeholders who are not licensed by NCDMF (i.e., processors and residents who hold licenses/permits from other states), NCDMF will issue news releases and work with trade organizations such as the North Carolina Fisheries Association and NC Coastal Conservation Association to communicate how these stakeholders can apply.

The application packet will be made available on the NCDMF website for anyone to access and download, along with contact information that a prospective applicant can call or email concerning eligibility or any other CARES Act II program questions. The application process will be a paper, mail-based system. The applicant will complete the application that is either received through the mail, or downloaded from the NCDMF website, and will mail the application and all supporting documentation to NCDMF for processing. Applicants will also be able to drop off applications at NCDMF's Morehead City Headquarters Office in person or via the drop-box.

Application Process

The application process will be broken into three phases and will commence on the publishing date for the NCDMF news release that announces the application period has opened. The application phase will last 45 days. During this phase, all eligible stakeholders, regardless of pre-qualification status, must turn in a physical application to NCDMF Morehead City Headquarters Office in order to be considered for relief from this program. All applicants must fill out and return the application, self-certifying affidavit, the NC Substitute W-9 form, and accompanying documentation. Pre-qualified stakeholders that accept the NCTTP calculated loss ratio will not be

required to provide revenue information. Initially denied stakeholders, for-hire operations, and stakeholders wishing to use their own revenue values will be required to provide appropriate revenue documentation. The application packet and necessary documentation must be submitted in this 45-day time period.

Once the application period is complete, NCDMF staff will have 90 days to process all received applications. This includes both accepted NCTTP-calculated applications and original applications with revenue documentation. Information received by NCDMF will be entered into a spreadsheet that meets all confidentiality and security regulations. Information will include name, license number (if any), contact information, tax identification number, stakeholder category, amount of claim, and links or file name codes that house supporting documentation (supporting documentation may be uploaded and linked to the database or it may be housed in a separate file with a unique identification code). NCDMF will review applications to determine the validity of the claim. In addition to the affidavit for self-certification, validation will ensure:

- Application is complete.
- Applicant is 18 years or older and was a legal resident of North Carolina during the CARES Act II time period.
- Applicant held the license, permit, or lease listed on the application and that the license, permit, or lease was active, not expired, and was not suspended or revoked during March-December 2020 and the last five years, 2015-2019, except for those who were in business less than five years; a one-year minimum is still required. For applicants who claim eligibility but did not hold a North Carolina issued license, but held a federal permit or license issued from another state, NCDMF will require the applicant to submit a copy of all the licenses and permits held during 2020 and the prior five years as verification. If not using NCTTP data, applicant provides suitable documentation to prove loss. Approved documentation will be based on the decision tree and revenue documentation table developed during CARES Act I (Appendix F).

Throughout the 90-day processing period, NCDMF will notify all applicants of the review committee's approval/denial decision. Approved applicants will receive an approval letter. Denied applicants will receive an initial phone contact (up to two attempts) along with a certified letter explaining the reason for denial and the appeals process. NCDMF will maintain records of the date, method, and status of each contact attempt for consistency and quality control.

After the processing period, NCDMF staff will have 30 days to process all received appeals. During the appeals period, any denied applicants will have the opportunity to appeal the decision with new documentation or information. Appeals will be reviewed and applicants will be contacted and notified of the appeal decision in the same way they were during the application process.

Through the self-certification process, applicants will affirm that the combination of financial assistance from Section 12005, other programs funded by the CARES Act (e.g., Payment Protection Program), and their traditional revenue stream will not exceed in 2020 an individual's total average annual revenue from the previous five years, or a minimum of one year for those in business less than five years, thus making them "more than whole" as a result of this relief process.

Distribution of Funds

Once all final appeal determinations are made, and stakeholders receive final notification, NCDMF staff will begin determining individual relief amounts per approved applicant. As stated, the ratio of available funds per each stakeholder category has been determined by NOAA Fisheries in the CARES Act I process; NCDMF will maintain these ratios when calculating direct payments for stakeholders. Under this approach, NCDMF will calculate each approved stakeholder's total revenue loss from March 1, 2020 to December 31, 2020, compared to the average over that same time period from 2015 to 2019. Inflation will not be considered.

Upon determining the maximum allowable payment for each stakeholder, the total value of loss for each category will be summed and determined. Using these values described, NCDMF staff will then calculate the payment allocations so that each stakeholder will have the same percentage of their loss repaid as all others in their category to ensure equity. In any cases where all approved stakeholders in one category are fully compensated (100% of losses recovered), and funds remain, those leftover monies will be transferred to the category that is compensating the lowest proportion of the total loss. This occurred in CARES Act I, where monies from the for-hire category were transferred to the seafood dealer/processor category, with the consent of ASMFC, to improve program efficiency.

In the case where all approved applicants are fully compensated, and monies remain, NCDMF will develop one additional project related to seafood marketing to use the remaining funds. The focus of this outreach would be to amplify both NC seafood and coastal tourism to promote both commercial and recreational industries. The scope and methods of marketing would be determined at the time of the project, based on the amount of remaining funds. However, NCDMF does not anticipate that funds will remain if all approved stakeholders are compensated for their total losses. At this time, no additional details on this marketing project shall be developed.

Once all of the above calculations are determined, NCDMF will submit approved application documents and applicant check amounts to ASMFC, who will then issue the sub-award in the amount of \$4,385,704 to NCDEQ. NCDMF will provide confidential identifying information to NCDEQ, who will prepare and issue checks to all approved stakeholders.

4. Expected Benefits

The direct payments will provide financial relief to the fishing sectors in North Carolina that have been affected by COVID-19. This assistance will provide each recipient funds to assist with considerable revenue loss of greater than 35% from March 1, 2020 and December 31, 2020, compared to the previous five-year average.

5. Milestone Schedule

The milestone schedule starts when NCDMF is notified of the sub-award from ASFMC. NCDMF intends to complete the entire program within one year of being notified that the plan is approved and the sub-award has been granted to NCDMF from ASFMC.

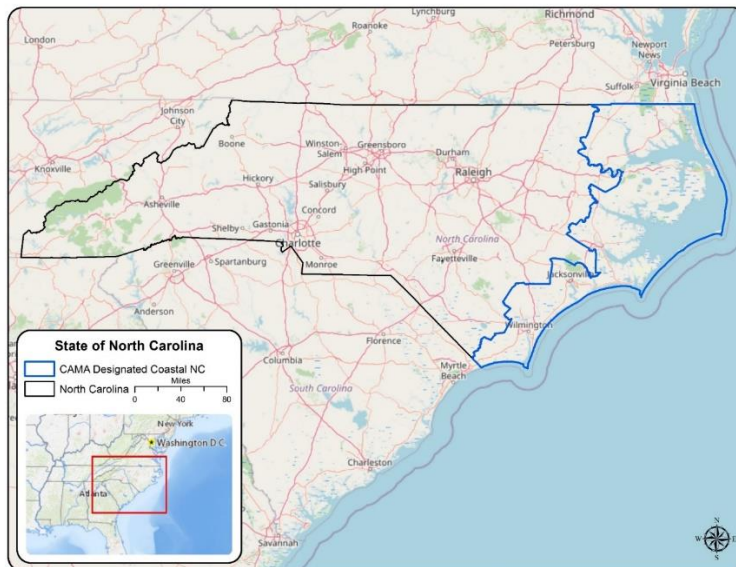
Table 5. Expected timeline of CARES Act II events.¹

Timeline and Tasks	Calculate Initial Losses/Prepare Mailings	Application period	Processing	Appeals	Deliver Final Results to ASMFC	NCDEQ Issues Checks	Finalize and Develop Report
60 Days	X						
45 Days		X					
90 Days			X				
30 Days				X			
30 Days					X		
30 Days						X	
60 Days							X

¹ Tax information (e.g., 1099 forms) will be issued to anyone who receives economic relief, and CARES Act II will need to pay for those costs. If all of the funds are issued in the 2021 calendar year, tax information will be issued during the first quarter of 2022, and final reports can be finalized in 2022. If any funds are issued in the 2022 calendar year, the tax information will be issued during the first quarter of 2023, and reports cannot be finalized until 2023.

6. Geographic Location

The location and scope of this project will cover all of the North Carolina residents who are eligible participants in the marine fishing industries, as outlined in this proposal. The project will be administered from the NCDMF Headquarters Office in Morehead City, NC.



7. Cost Summary (Budget)

North Carolina = \$4,545,946 (NOAA Fisheries and ASMFC administrative fees of ~0.7% and 0.1%, respectively, have already been removed).

Description	Budget (\$)
Temporary Salaries for Two Personnel	93,757
Purchases Services	51,935
Supplies	6,463
Equipment	8,087
SUBTOTAL NCDMF ADMINISTRATIVE COSTS	160,242
Direct Payments	
Commercial Fishermen/Aquaculture Operations	2,815,622
Seafood Dealers/Processors	517,513
For-Hire Fishing Operations	1,052,569
SUBTOTAL DIRECT PAYMENTS	4,385,704
TOTAL	4,545,946

Temporary Salaries - NCDMF hired two temporary employees for one year to carry out the duties of this program at the beginning of the CARES Act I sub-award. These employees will remain on staff for the entirety of the CARES Act II process, as well. One position is an administrative assistant position at ~\$15/hour to assist by providing telephone and email support, preparing application packages, mailing and receiving packages, and other general office support functions for the program. The other temporary position is a more specialized biologist at ~\$25/hour to assist with data analysis, verifying information provided by applicants, and managing disputes. These two employees will also assist in other License and Statistics section duties that will indirectly enhance the CARES Act II program and future assistance projects. This includes helping to update fishing license information, verifying trip ticket data, and other data improvement projects.

Purchased Services – Purchased services will cover postage for direct payments and 1099 forms issued to eligible stakeholders in this spending plan. While exact costs remain dependent upon the number of approved applicants, an estimate was developed based on postage costs accrued during CARES Act I. Purchased services will also cover postage fees acquired from the application packages submitted by applicants using the postage-paid envelopes and any certified mail sent to notify denied applicants of the appeal process. Travel costs may be needed to cover mail-outs, which will use a state-owned vehicle and the requirements of NC Department of Administration Motor Fleet Management.

Supplies – Supply costs will fall under general office supplies. These supplies, including pens, paper, envelopes, etc., and will be used in direct support of this project to facilitate the mailing of applications, direct payments, and mail-outs of 1099 forms to stakeholders. Initial supplies will be purchased to support temporary staff.

Equipment – Equipment costs are requested to cover the costs of temporary staff informational technology and infrastructure needs. To comply with CDC guidelines and State requirements for the COVID-19 work environment to provide prompt financial relief to stakeholders, temporary staff may

need to be supplied with teleworking equipment to include, but not limited to, laptops, printers, scanners, and communication equipment.

NCDMF will also provide in-kind support to this project. In-kind support will be provided by NCTTP staff (i.e., processing clerks, biologists, biologist supervisor, technicians), Administrative and Maintenance Services staff (business and budget officers), (NCDEQ) Financial Services Division, and North Carolina Department of Information Technology staff. Oversight of the project will be provided by the NCDMF Director and Deputy Director along with the NCDEQ Secretary's Office, Office of General Counsel, and the NCDEQ Auditor.

8. Appendices

Appendix A: Letter from NOAA Fisheries to ASMFC on process and requirements

Appendix B: State and Tribal Allocations for CARES Act II

Appendix C: Ratios of contribution by affected stakeholders

Appendix D: Additional details on the data sources used for revenue data. This document was provided from NOAA Fisheries to the Delaware Congressional delegation. ASMFC provided this document to states on June 15, 2020.

Appendix E: Cover Letters

Appendix F: Application Documents

Appendix G: Decision Tree and Revenue Documentation Table

Appendix H: Approval and Denial Letters

9. References

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UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Silver Spring, MD 20910

Mr. Robert Beal
1050 N. Highland Street
Suite 200 A-N
Arlington, VA 22201

Dear Mr. Beal,

Sec. 12005 of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) authorizes the Secretary of Commerce (Secretary) to provide \$300 million in appropriated funds to assist fishery participants affected by the novel coronavirus (COVID-19). (See below for complete text). Given the definition of "fishery participant" identified in Sec. 12005 of the CARES Act, the National Marine Fisheries Service (NOAA Fisheries) used readily available total annual revenue information from the commercial fishing, charter fishing, aquaculture, and processor sectors of coastal states, Tribes, and territories to allocate Sec. 12005 funding. NOAA Fisheries also took into consideration negative impacts to subsistence, cultural, and ceremonial fisheries during the allocation process.

BACKGROUND AND PROCESS:

NOAA Fisheries has determined that the Atlantic States Marine Fisheries Commission will be a recipient of \$118,983,017 for the purpose of assisting fishery participants affected by COVID-19 in the Atlantic States. NOAA Fisheries will provide you with these funds, after we receive, review, and approve a grant application. Your grant application must reflect the appropriate use of funds and considerations as outlined here, in the allocation table (see attachment) and consistent with the requirements of the CARES Act. Your award will include a special award condition that will require you to develop a detailed spend plan for sub-awards with the states for NOAA Fisheries review before you may disburse funds to sub-awardees for the purpose of providing assistance to fisheries participants. Funds may be expended for administrative processes of the grantee, as well as to sub-awardees for the purpose of economic analyses that may be necessary for a detailed spend plan.

Section 12005 of the CARES Act defines "fishery participants" to include Tribes, persons, fishing communities, aquaculture businesses not otherwise eligible for assistance under part 1416 of title 7 of the Code of Federal Regulations for losses related to COVID-19, processors, or other fishery-related businesses, who have incurred, as a direct or indirect result of the coronavirus pandemic:

- (1) economic revenue losses greater than 35 percent as compared to the prior 5-year average revenue (2015-2019); or
- (2) any negative impacts to subsistence, cultural, or ceremonial fisheries.

REQUIRED CONTENTS

In addition to the requirements outlined in the GrantsOnline application portal, your application for this award must:

- Describe how you will identify and determine fishery participants eligible for funding. For the purposes of carrying out the provisions in Section 12005 of the CARES Act, "fishery-related businesses" are limited to commercial fishing businesses, charter/for-hire fishing businesses, qualified aquaculture operations, processors, and dealers.
 - NOAA does not consider businesses farther down the supply chain (e.g., vessel repair



businesses, restaurants, or seafood retailers) “fishery-related businesses” for the purposes of this funding. While NOAA Fisheries generally does not expect bait and tackle operations and gear and vessel suppliers to be eligible for Section 12005 funding, individual states, Tribes, and territories will have the discretion to determine how they will identify eligible fishery participants, consistent with the requirements of the CARES Act, in their spend plans.

- Qualified aquaculture operations include privately owned aquaculture businesses growing products in state or federal marine waters of the United States and the hatcheries that supply them. This includes all molluscan shellfish and marine algae. Non-salmonid marine finfish grown in marine waters not covered by USDA are also included.
 - All eligible participants must, consistent with the requirement under Section 12005 of the CARES Act, have incurred economic revenue losses greater than 35 percent as compared to the applicable prior five year average revenue (2015-2019) or negative impacts to subsistence, cultural, or ceremonial fisheries.
 - Entities that have been in business less than five years are still eligible for assistance. If needed, NOAA Fisheries can provide revenue loss estimates and five year average revenue estimates in each state. Participants can only be eligible for assistance from their state/territory of residence.
- Describe the main categories for funding by state as applicable (e.g., direct payments, fishery-related infrastructure, fishery-related education) that address direct and indirect COVID-19 impacts to commercial fishermen, charter businesses, qualified aquaculture operations, subsistence/cultural/ceremonial users, processors, and dealers.
 - Direct payments are expressly allowed by the CARES Act. However, applications must address direct payments as follows:
 - Direct payments may not be directed to minors.
 - Funds cannot be used to compensate state, local, or tribal governments for lost municipal or government tax revenue.
 - Funds must be used to address fishery-related direct or indirect losses or subsistence/cultural/ceremonial impacts.

Your application should also, if applicable, identify funds available from other Federal programs for disaster relief and describe the process you use to coordinate across Federal assistance programs from multiple agencies. While eligible fishery participants under this award may apply for other Federal assistance programs under the CARES Act or other Federal programs, they should not apply to other Federal programs for assistance to address the same impacts resulting from COVID-19. Funds provided by NOAA under this award shall not be used for activities for which the recipient has received Federal or other funds. DOC will not pay for costs that are funded by other sources (*Department of Commerce, Standard Terms and Conditions, Other Federal Awards with Similar Programmatic Activities, Section A.03*).

As soon as possible, please have a member of your staff contact Daniel Namur from the Fisheries Financial Assistance Division to begin the grant application process via the grants.gov website. You may contact him at 301-742-7475 or Dan.Namur@NOAA.gov.

Note from NCDMF: NOAA Fisheries allocations listed in this letter have the NOAA Fisheries administrative fee of (~0.7%) removed but the ASFMC administrative fee has not been calculated nor removed from allocations listed in this table.

We look forward to working with you to expedite the distribution of this much needed assistance to the affected fishing industry and affiliated constituents.

Sincerely,

Paul N. Doremus
Deputy Assistant Administrator for Operations at NOAA Fisheries

Appendix B

Summary of Allocations*:

State or Territory	Allocation of Consolidated Appropriations Act, 2021 Funding
Alaska	\$40,000,000
Washington	\$40,000,000
Massachusetts	\$23,632,530
Florida	\$19,946,763
Maine	\$17,138,213
California	\$15,485,930
Oregon	\$13,487,797
Louisiana	\$12,477,165
New Jersey	\$9,567,888
Texas	\$7,795,841
New York	\$5,696,511
North Carolina	\$4,607,981
Virginia	\$3,814,798
Hawaii	\$3,660,340
Maryland	\$3,481,159
Alabama	\$3,000,000
Rhode Island	\$3,000,000
New Hampshire	\$3,000,000
American Samoa	\$3,000,000
Mississippi	\$3,000,000
Georgia	\$3,000,000
Connecticut	\$3,000,000
South Carolina	\$3,000,000
Delaware	\$3,000,000
Puerto Rico	\$3,000,000
USVI	\$3,000,000
Guam	\$796,082
CNMI	\$411,002
TOTAL	\$255,000,000

* Final award amounts will be different due to Hollings and other assessments.

Appendix C

Sec. 12005 Allocation: Sector-Based Revenues

NOAA Fisheries is providing this data for informational purposes only. Please note that states, Tribes, and territories are not obligated to utilize this data when developing their spend plans for their allocated Sec. 12005 funds. Specifically, allocated funds are not required to be distributed based on the proportions outlined below, as the number of eligible fishery participants across sectors may vary based on the CARES Act requirement that fishery participants must have incurred a 35% economic revenue loss or negative impacts to subsistence, cultural, or ceremonial fisheries in order to be eligible for Sec. 12005 funds.

Entity	Percentage of Total Annual Revenue (All Sectors)				Allocation
	For-Hire Fishing	Commercial Fishing and Aquaculture	Seafood Sector	Tribal Commercial Fishing, Aquaculture & For Hire	
Alaska	5.5%	35.2%	59.3%		\$50,000,000
Washington	0.6%	67.8%	31.6%		\$50,000,000
Massachusetts	1.5%	47.3%	51.2%		\$28,004,176
Florida	27.0%	30.7%	42.3%		\$23,636,600
Maine	0.4%	81.5%	18.1%		\$20,308,513
California	18.6%	30.6%	50.8%		\$18,350,586
Oregon	2.1%	45.6%	52.3%		\$15,982,827
Louisiana	11.4%	74.2%	14.4%		\$14,785,244
New Jersey	6.0%	64.2%	29.8%		\$11,337,797
Texas	10.6%	64.3%	25.1%		\$9,237,949
New York	11.6%	31.4%	57.1%		\$6,750,276
North Carolina	24.0%	64.2%	11.8%		\$5,460,385
Federally Recognized Tribes on the West Coast				100.0%	\$5,097,501
Virginia	4.9%	52.8%	42.3%		\$4,520,475
Hawaii	13.8%	69.4%	16.8%		\$4,337,445
Maryland	13.0%	42.2%	44.8%		\$4,125,118
Pennsylvania	0.0%	0.0%	100.0%		\$3,368,086
Alabama	25.9%	46.3%	27.7%		\$3,299,821
Rhode Island	3.5%	68.0%	28.5%		\$3,294,234
New Hampshire	4.3%	40.1%	55.6%		\$2,732,492
American Samoa	0.0%	8.0%	92.0%		\$2,553,194
Georgia	4.8%	23.5%	71.8%		\$1,921,832
Connecticut	6.4%	41.9%	51.7%		\$1,835,424
Mississippi	16.2%	51.9%	31.9%		\$1,534,388
South Carolina	46.4%	45.2%	8.4%		\$1,525,636
Delaware	9.1%	50.3%	40.6%		\$1,000,000
Puerto Rico	20.8%	42.1%	37.2%		\$1,000,000
United States Virgin Islands	27.8%	38.4%	33.9%		\$1,000,000
Federally Recognized Tribes in Alaska*				100.0%	\$1,000,000
Guam	0.0%	53.1%	46.9%		\$1,000,000
Commonwealth of the Northern Mariana Islands	0.0%	53.1%	46.9%		\$1,000,000

*Encompasses the only Federally-recognized Tribe in the state with a Tribally managed commercial fishery

To allocate the Sec. 12005 funds, NOAA Fisheries used readily available multi-year averages to estimate the total average annual revenues from commercial fishing operations, aquaculture firms, the seafood supply chain (processors, dealers, wholesalers and distributors) and charter fishing businesses from each coastal state, Tribe, and territory. Additional details regarding the sources of revenue data are included below:

- 1) *Commercial fishing revenues:* For most states, five year average commercial fishing revenues from 2014-2018 were based on data obtained from NOAA Fisheries' Office of Science and Technology's [commercial landings database](#). For U.S. territories, five year average commercial fishing revenues from 2014-2018 were obtained from the [Fisheries of the United States](#) report.
- 2) *Aquaculture revenues:* Most aquaculture revenue data was embedded within the [commercial landings revenue data](#) used to calculate five year average commercial fishing revenues. Updated [USDA Census of Aquaculture data](#) was used to account for aquaculture sales not accounted for within commercial fishing landings data (e.g., oysters, mussels, clams from select states). Multi-year averages were not available for aquaculture sales derived from the USDA Census of Aquaculture data.
- 3) *Seafood Sector Revenues:* The commercial fishing landings revenue and aquaculture sales (defined as described above) were used to calculate direct value-added estimates for the seafood sector (i.e., processors, dealers, and wholesalers/distributors) using NOAA Fisheries' [Commercial Fishing & Seafood Industry Economic Impact Model](#), while Alaska and West Coast direct value added estimates were calculated from regional models. In layman's terms, direct value added is essentially sales revenue less the cost of seafood inputs. This metric essentially ensures that revenue was not double counted in both the commercial and seafood sectors and that expenditures that flow out of the country from imported seafood products were not included in any revenue estimates.
- 4) *For-hire fishing revenues:* For most states, average for-hire fishing revenues from 2015-2019 were based on angler payments to for-hire operations for fishing trips. Data on angler payments were based on NOAA Fisheries' [Angler Expenditures Surveys](#) and data on directed for-hire fishing trips were derived from NOAA Fisheries' [Marine Recreational Information Program](#). For Hawaii, Alaska and the Caribbean territories, NOAA Fisheries used charter vessel cost earnings surveys.

Additional notes: All sales and value added data was converted into 2019 dollars. Several additional adjustments were made to the data described above in order to accommodate the unique needs of allocating Sec. 12005 funds. For example:

- *Homeporting Adjustment:* Average annual landings revenue data from Alaska, New England, and Mid-Atlantic states were adjusted to attribute landings in those regions to a vessel owner's state of residence to better reflect where fishing income accrues. These adjustments were made by determining the proportion of landings in a particular state attributed to vessel owners residing in another state and distributing revenue accordingly. A similar adjustment was also applied to at-sea processors on the West Coast.

- *Ceremonial, Subsistence, Cultural Fisheries Multiplier:* A multiplier was also applied to available multi-year averages of Tribal and territorial commercial and for-hire fishing revenues to account for subsistence, cultural, and ceremonial fisheries.

Proportional Allocation Formula: NOAA Fisheries proportionally allocated Sec. 12005 based on the total average annual revenues from coastal states, Tribes, and territories. The general formula used is included below. However, NOAA Fisheries also applied a minimum and maximum funding level (\$1M and \$50M, respectively).

$$300,000,000 \times \frac{\text{State/Territory/ Tribes Total Average Annual Revenue (all sectors)}}{\text{Total Average Annual Revenue across all States/Territories/ Tribes}}$$

Appendix E



ROY COOPER
Governor

DIONNE DELLI-GATTI
Secretary

KATHY B. RAWLS
Director

Date

Dear Potential Applicant:

The Consolidated Appropriation Act (CARES Act 2) authorized the U.S. Secretary of Commerce to provide a second round of economic assistance to affected fishery participants due to the coronavirus ("COVID-19") pandemic. North Carolina received approximately \$4.5 million from this funding to provide financial relief to fishery-related stakeholder groups affected by the COVID-19 pandemic through direct payout. The affected stakeholder categories approved for payments are commercial fishermen (including shellfish license holders), marine aquaculture operations, seafood processors and dealers, and for-hire fishing operators.

Similar to the CARES Act (CARES Act 1), the National Oceanic and Atmospheric Administration ("NOAA") Fisheries guidance requires applicants for CARES Act 2 to demonstrate a sustained reduction in revenue greater than thirty-five percent (35%) due directly to COVID-19 during the period between March 1 and Dec 31, 2020, as compared to the average revenue for that same period of March 1 – Dec 31 for the five preceding years of 2015-2019. Note that the time period included is different from CARES Act 1 and approval or denial for CARES Act 1 does not exclude you from applying for CARES Act 2.

Based on North Carolina Trip Ticket (NCTT) data, we have determined you **may qualify** for these relief funds as a [CF/SD]. If you would like to apply, please complete the enclosed forms:

- Program Self-Certification and Assurances (Affidavit)
- Program Application
- State of North Carolina Substitute W-9 Form

Please include all three documents, as well as proof of identity. If you do not wish to use NCTT data, please provide your own revenue values and supporting documentation. If you do not provide documentation, NCTT data will be used. Applications and supporting documentation must be delivered in person to the NCDMF Headquarters Office located in Morehead City or postmarked by 5pm on [Insert Date]. Applications and supporting documentation cannot be submitted to other NCDMF offices. Applications and supporting documentation that are submitted after 5pm on [XXX] will not be considered.

If you have any questions about the Program, you may send an email to covid19relief@ncdenr.gov or call NCDMF staff in Morehead City, NC at (252) 808-8105 or 1-800-682-2632 (toll-free in N.C. only).



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Based on North Carolina Trip Ticket (NCTT) data, we have determined you **may not qualify** for these relief funds as a [CF/SD]. This does not exclude you from applying with your own revenue values. If you would like to apply, please complete the enclosed forms:

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Similar to the CARES Act (CARES Act 1), the National Oceanic and Atmospheric Administration ("NOAA") Fisheries guidance requires applicants for CARES Act 2 to demonstrate a sustained reduction in revenue greater than thirty-five percent (35%) due directly to COVID-19 during the period between March 1 and Dec 31, 2020, as compared to the average revenue for that same period of March 1 – Dec 31 for the five preceding years of 2015-2019. Note that the time period included is different from CARES Act 1 and approval or denial for CARES Act 1 does not exclude you from applying for CARES Act 2.

Based on North Carolina Trip Ticket (NCTT) data, we have determined you **may qualify** for these relief funds as a [CF/SD], but not as a [CF/SD]. If you would like to apply, please complete the enclosed forms:

- Program Self-Certification and Assurances (Affidavit)
- Program Application
- State of North Carolina Substitute W-9 Form

Please include all three documents, as well as proof of identity. If you do not wish to use NCTT data, or if you wish to apply as a [CF/SD] operation, please provide your own revenue values and supporting documentation. If you do not provide documentation, NCTT data will be used. Applications and supporting documentation must be delivered in person to the NCDMF Headquarters Office located in Morehead City or postmarked by 5pm on [XXX]. Applications and supporting documentation cannot be submitted to other NCDMF offices. Applications and supporting documentation that are submitted after 5pm on [Insert Date] will not be considered. Please note you may only apply for one stakeholder group.

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Based on North Carolina Trip Ticket (NCTT) data, we have determined you **may qualify** for these relief funds as both a commercial fisherman and a seafood dealer. If you would like to apply, please complete the enclosed forms:

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STATE OF NORTH CAROLINA – DIVISION OF MARINE FISHERIES
NC Consolidated Appropriations Act Fisheries Relief Program (CARES Act II)
Application

Please read the following information carefully before beginning this application.

This application will be used to assist the North Carolina Department of Environmental Quality, Division of Marine Fisheries (NCDMF) to distribute approximately \$4.6 million in federal relief money, less administrative costs, to select fishing industry stakeholders through the Consolidated Appropriations Act of 2021 (CARES Act II). Eligible applicants for relief assistance include commercial fishermen (including shellfish license holders) and marine aquaculture operations, licensed seafood dealers and seafood processors, and for-hire fishing operations.

Potential affected stakeholder groups will be separated into three different application categories: 1) commercial fishermen and marine aquaculture operations; 2) seafood dealers and processors; and 3) for-hire fishing operations. To assist as many stakeholders as possible, applicants will only be allowed to apply for relief within one category regardless of whether an applicant qualifies under the other two categories. Additionally, business partners cannot apply together if they hold separate licenses. Each license holder must submit their own application, and only landings attributed to their license will be considered (if applicable).

Funds were made available through the Consolidated Appropriations Act of 2021 to support activities previously included in Sec. 12005 of the CARES Act. Applicants are required to demonstrate a reduction in revenue greater than thirty-five percent (35%) during the period between March 1 and December 31, 2020, as compared to the average revenue for that same period of March 1 – December 31 for the five preceding years of 2015-2019. NOAA Fisheries also requires that any relief monies received from the Program cannot result in a participant's annual (January 1 to December 31) 2020 earnings exceeding their five-year average annual (January to December) revenue between the years 2015-2019. Participants may be required to pay back some or all of the relief monies that exceed this limit, as NCDMF is unable to verify this information independently. Acceptable revenue documentation is described in Section 2. You will also be required to sign the Self-Certification and Assurances (Affidavit) form verifying that your claimed losses are accurate.

If you were not pre-approved and you do not think you experienced a sustained revenue loss greater than thirty-five percent (35%) due to COVID-19 between March 1 and December 31, 2020, or you cannot provide supporting documentation to demonstrate your loss, you are unlikely to qualify for a relief payment. You must be a resident or registered business of the State of North Carolina and 18 years or older in order to be eligible for relief. You can still be eligible with an out-of-state industry license or permit if your claimed homeport is within North Carolina. Please note that bait and tackle shop owners, gear and vessel suppliers, employees, crew members, and those who are assigned but do not own any individual fishing licenses, are not eligible to apply for relief.

All applicants, regardless of pre-approval status, must complete and sign all application forms in order to be eligible for relief. Please read all directions carefully. Applications and supporting documentation must be delivered in person to the NCDMF Headquarters Office located in Morehead City or postmarked by 5pm on [Insert Date]. Applications and supporting documentation cannot be submitted to other NCDMF offices.

State of North Carolina | Division of Marine Fisheries
3441 Arendell Street | PO Box 769 | Morehead City, NC 28557
Covid19relief@ncdenr.gov 252-808-8105



STATE OF NORTH CAROLINA – DIVISION OF MARINE FISHERIES
NC Consolidated Appropriations Act Fisheries Relief Program (CARES Act II)
Application

SECTION 1: PRELIMINARY INFORMATION – ALL APPLICANTS MUST COMPLETE THIS SECTION

Legal Name: (Last, First, Middle- Suffix)			
Residential Mailing Address:		Residential Physical Address: Check if same as mailing address []	
Business Mailing Address: Check if N/A []		Business Physical Address: Check if same as mailing address []	
Date of Birth (MM/DD/YYYY):		Please list all active out-of-state of federal licenses you own, as well as the corresponding license number:	
Please provide the following, all that apply:		Please list all active NCDMF-issued licenses/permits you own:	
Cell phone number		Type	License/Permit Number
Home phone number			
Business phone number			
Email address			
Which category will you be applying for CARES Act II relief through? (ONLY CHOOSE ONE CATEGORY)			
<input type="checkbox"/> Commercial Fisherman or Marine Aquaculture Operation			
<input type="checkbox"/> Seafood Dealer or Processor			
<input type="checkbox"/> For-Hire Operation (Proceed to Section 2)			
Are you using NCDMF TT data or are you supplying your own documentation? (Please Circle) For-hire operators and seafood processors must provide own documentation.		NCDMF TT Data	Own Documentation



STATE OF NORTH CAROLINA – DIVISION OF MARINE FISHERIES
NC Consolidated Appropriations Act Fisheries Relief Program (CARES Act II)
Application

SECTION 2: SUPPORTING DOCUMENTATION

Required by ALL applicants:

- Copy of current North Carolina Driver's License or North Carolina-issued identification
- Copies of business permits or licenses issued by government agencies outside of NCDMF showing the physical location of the processor in North Carolina
- Copies of any corporation, limited liability, registered 'doing business as' or other legal documentation showing the physical location of the processor in North Carolina

Required by applicants providing SELF-REPORTED VALUES and their OWN DOCUMENTATION*:

- Copy of out-of-state or federal commercial fishing licenses or permits if reporting out-of-state landings
- Supporting revenue documentation:
 - Personal Trip Tickets showing actual prices
 - Receipts
 - Invoices
 - Accounting software reports (e.g. QuickBooks)
 - Calendars with for-hire trip dates and prices
 - Bank Statements for business accounts
 - Profit-Loss Statements

***If you are a commercial fisherman or seafood dealer and do not provide your own revenue documentation, you are accepting the information NCDMF has on record in the Trip Ticket Database as your supporting documentation. If you are a seafood processor without a NC seafood dealer permit or a for-hire operator and do not provide your own revenue documentation, you will be denied.**

During the time period from March 1, 2020 to December 31, 2020 , what was your pre-tax revenue from fishing activities?				
(A) \$				
Record your pre-tax revenue from commercial fishing/aquaculture for the time period of March 1 – December 31 for each year, 2015 – 2019, in the spaces below.				
2015 (B)	2016 (C)	2017 (D)	2018 (E)	2019 (F)
\$	\$	\$	\$	\$
Considering your average annual revenue from 2015-2019 and your expected total revenue for 2020, including CARES Act II, Section 12005 assistance, and other relief programs in the CARES Act, what is the maximum amount of money you estimate you could receive from this program and not be made more than 100% whole, as described in the attached cover letter? (NOTE: the amount you provide in the box below may or may not be the amount that you receive from this program)				
\$				

Thank you for completing the NC Consolidated Appropriations Act Fisheries Relief Program (CARES Act II) Application! You will be contacted by NCDMF staff to notify you of your status in this relief program once your application has been reviewed.



STATE OF NORTH CAROLINA – DIVISION OF MARINE FISHERIES
NC Consolidated Appropriations Act Fisheries Relief Program (CARES Act II)
Self-Certification and Assurances (Affidavit)

[_____] hereby requests federal assistance from the
Last Name, First Name MI
Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service;
through the Atlantic States Marine Fisheries Commission.

As the Organization's Authorized Representative, I self-certify and attest that **(initial each statement below)**:

Please Initial:

- _____ This organization is a Fishery Participant that is an eligible recipient of assistance under the Consolidated Appropriations Act.
- _____ Direct payments will not be directed to minors.
- _____ Funds will not be used to compensate state, local, or tribal governments for lost municipal or government tax revenue.
- _____ Funds will be used to address fishery-related direct or indirect losses or subsistence/cultural/ceremonial impacts.
- _____ The Fishery Participant applying for assistance is: (initial only if all statements below are true)
 - not de-barred
 - not on the government's "do not pay" list
 - in good standing with the Federal and State Government
- _____ The Fishery Participant is aware that direct payments are taxable and may potentially be subject to federal auditing processes.
- _____ The Fishery Participant verifies that all information submitted in the application, affidavit, and supporting documentation is true, accurate, and complete.
- _____ The Fishery Participant understands that the combination of financial assistance from section 12005 of the CARES Act, other programs in the CARES Act, CARES Act II, and the Fishery Participant's traditional revenue earnings in 2020 must not exceed the Fishery Participant's total average annual revenue from the previous five years, or a minimum of one year if the Fishery Participant has been in business for less than five years, thus making the Fishery Participant "more than whole" in annual revenue as a result of this relief program.
- _____ The Fishery Participant understands that they may be required to pay back some or all the relief monies received if the Fishery Participant's total earnings from the sources described above exceeds the Fishery Participant's five-year average earning from 2015-2019.
- _____ If applying as a commercial fisherman or seafood dealer, the Fishery Participant agrees to use North Carolina Trip Ticket data if they fail to provide supporting revenue documentation (profit-loss statements, invoices, receipts, etc.).
- _____ If applying as a for-hire operation or seafood processor, the Fishery Participant understands they will be denied if they fail to provide supporting revenue documentation (calendars, profit-loss statements, bank statements, etc.).

State of North Carolina | Division of Marine Fisheries
3441 Arendell Street | PO Box 769 | Morehead City, NC 28557
Covid19relief@ncdenr.gov 252-808-8105



STATE OF NORTH CAROLINA – DIVISION OF MARINE FISHERIES
NC Consolidated Appropriations Act Fisheries Relief Program (CARES Act II)
Self-Certification and Assurances (Affidavit)

Should the fishery participant receive assistance to mitigate the effects of the novel coronavirus (COVID-19) as allowed under the Consolidated Appropriations Act, the sum of these funds combined with any additional COVID-19 related federal financial assistance and/or any traditional revenue will not exceed the average revenue earned across the previous five years.

Should the fishery participant receive assistance to mitigate the effects of the novel coronavirus (COVID-19) as allowed under the Consolidated Appropriations Act, other financial assistance received will not be used to support or fund any portion of the scope of work incorporated into the NC CARES Act Fisheries Relief Program. Department of Commerce will not pay for costs that are funded by other sources.

By signing this affidavit and applying for assistance as allowable under P.L. 116-136 the Fishery Participant attests to having documentation/records to support the losses recorded on this form, and that were used as the basis of eligibility. Further, the eligible Fishery Participant agrees to maintain these records for a period of no less than 3 years after the close of the primary grant award to North Carolina Division of Marine Fisheries. Records must be made available upon request from the primary grantee, state/territory, NOAA, or the Office of the Inspector General.

This form must accompany the application to be considered as a valid applicant. Applications, affidavits, and other required documentation must be delivered in person to the NCDMF Headquarters Office located in Morehead City or postmarked by [Insert Date]. Applications and supporting documentation cannot be submitted to other NCDMF offices. Applications and supporting documentation that are submitted after [Insert Date] will not be considered. Incomplete applications will not be considered. Applications that cover periods of time outside of the eligibility period identified on the application documentation will not be considered.

All information provided on this document is true, accurate, and complete.

Authorized Representative/Fisheries Participant Signature

Date

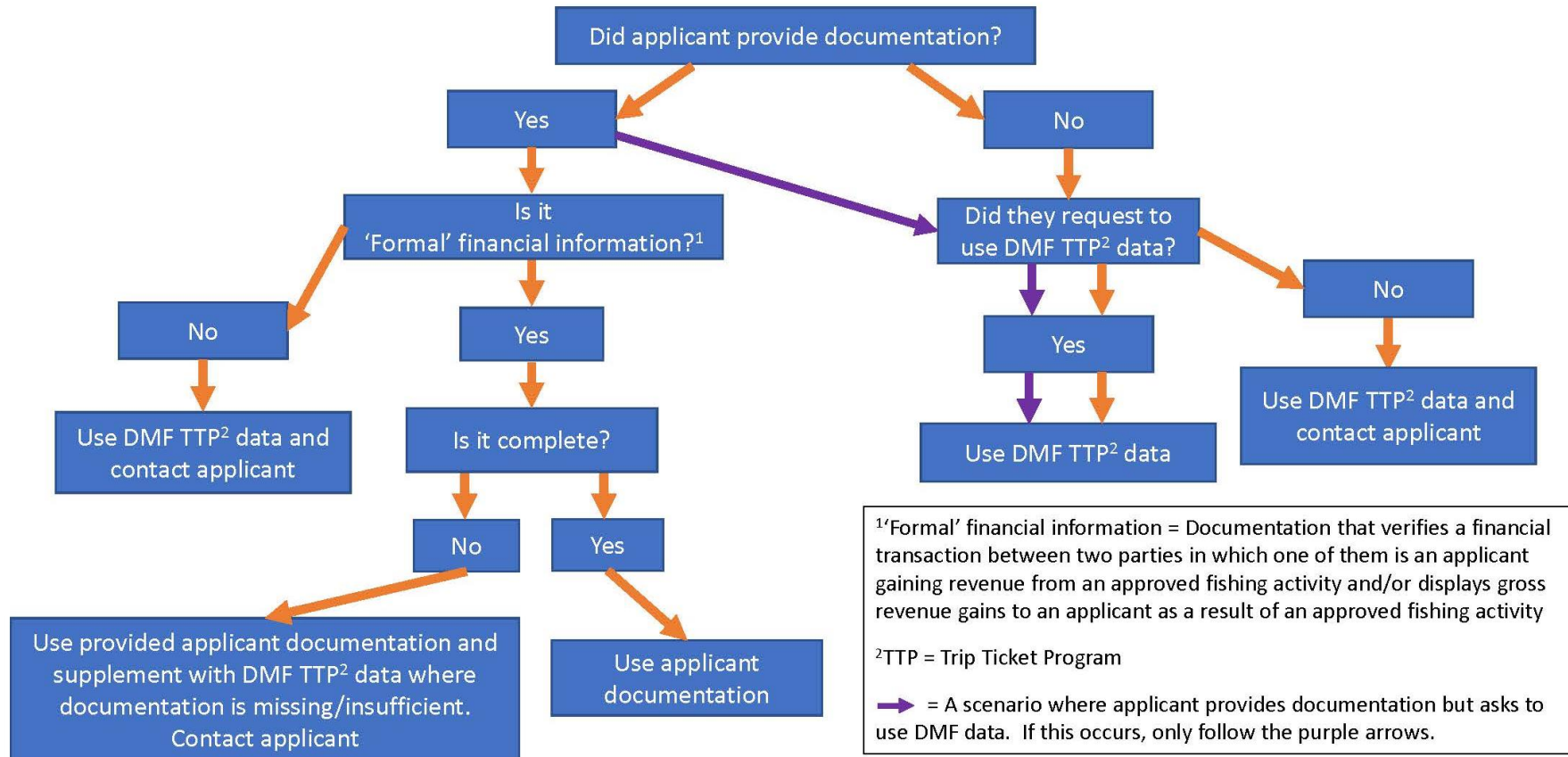
Last Name,

First Name

MI

Authorized Representative (Please Print)

Documentation Flow Chart



Documentation Hierarchy

Source	Type of Documentation	Level of Acceptance	
3 rd Party	Trip Tickets	Very High	Formal These documents should generally be considered 'formal' because they verify a financial transaction between two parties in which one of them is an applicant gaining revenue from an approved fishing activity and/or display gross revenue gains to an applicant as a result of an approved fishing activity. If these documents do not verify either of these statements, then their acceptance level would drop to medium or low.
3 rd Party	Bank Statements	High	
3 rd Party	Receipts	High	
Business Software	Logbooks	High	
Business Software	Profit-Loss statements	High	
3 rd Party	Transaction Reports	High	
3 rd Party	Deposit Slips	High	
3 rd Party	Invoices	High	
3 rd Party	Tax Forms	Medium	These documents could either be 'formal' or 'informal' and should be discussed.
3 rd Party	Calendar of Appointments	Medium	
3 rd Party	Summary Sheets	Medium	
DMF	DMF Trip Ticket Program (TTP)		If the applicant does not provide their own documentation, or the level of acceptance is low, DMF TTP data is used.
Personal	Basic Spreadsheets	Low	These documents are considered 'informal' and should not be considered unless provided in conjunction with other documentation.
Personal	Handwritten Calculations	Low	
Personal	Calendar of Appointments	Low	



ROY COOPER
Governor

DIONNE DELLI-GATTI
Secretary

KATHY B. RAWLS
Director

Date

Name

Address 1

Address 2

RE: CARES Act II Application Approval

Dear ,

Thank you for submitting your application to the North Carolina Consolidated Appropriation Act Fisheries Relief Program (CARES Act II) through the North Carolina Division of Marine Fisheries (NCDMF). After careful review of your application, the Review Committee has determined that you qualify for CARES Act II relief funds with this program. Please be patient while waiting for your check to arrive. Determination of disbursement amounts, and subsequent check writing will not be finalized until the end of the appeal process. We estimate that you will receive relief in [XXX].

If you have any questions about the program, you may send an email to covid19relief@ncdenr.gov or call NCDMF staff in Morehead City, N.C. at (252) 808-8105 or 1-800-682-2632 (toll-free in N.C. only).



ROY COOPER
Governor

DIONNE DELLI-GATTI
Secretary

KATHY B. RAWLS
Director

Date

RE: CARES Act II Application Denial and Appeal Process

Dear ,

Thank you for submitting your application to the North Carolina Consolidated Appropriations Act Fisheries Relief Program (CARES Act II) through the North Carolina Division of Marine Fisheries (NCDMF). After careful review of your application, the Review Committee has determined that you do not qualify for CARES Act II relief funds with this program. This determination was made based on the documentation you provided, along with any documentation NCDMF had on file. Specifically, you did not qualify due to the following reason(s):

- | | |
|---|--|
| <input type="checkbox"/> Under 18 years of age | <input type="checkbox"/> Nonresident of North Carolina |
| <input type="checkbox"/> Invalid or suspended license/permits | <input type="checkbox"/> Failed to prove 35% loss for March – May 2020 |
| <input type="checkbox"/> Incomplete application/missing documentation | <input type="checkbox"/> Other |

Additional Comments:

If you would like to appeal this determination, you must send an appeal letter, along with additional documentation to supplement any missing or inadequate information. The appeal letter and documentation must be either postmarked or put in the Trip Ticket drop-box outside of the NCDMF Headquarters office within two weeks of receiving and signing for this certified denial letter. Please note, if you do not submit your appeal within two weeks of signing, or you do not sign for the denial letter within two weeks of it being sent, your appeal will not be considered. NCDMF will review your appeal and make the final determination on eligibility within 90 days of receiving the appeal. NCDMF will notify you of its final disposition of the appeal via a phone call followed-up by a letter. NCDMF's appeal determination will be final, and no other appeals can be made.

If you have any questions about the program, you may send an email to covid19relief@ncdenr.gov or call NCDMF staff in Morehead City, N.C. at (252) 808-8105 or 1-800-682-2632 (toll-free in N.C. only).



ROY COOPER
Governor

DIONNE DELLI-GATTI
Secretary

KATHY B. RAWLS
Director

Date

RE: CARES Act II Application - Appeal Approval

Dear ,

Thank you for submitting your appeal of the initial denial of your application for the North Carolina Consolidated Appropriations Act Fisheries Relief Program (CARES Act II) through the North Carolina Division of Marine Fisheries (NCDMF). After careful review of your appeal, the Review Committee has made a final determination that you qualify for CARES Act II relief funds under this program. Please be patient while waiting for your check to arrive. Determination of disbursement amounts, and subsequent check writing will not be finalized until the end of the appeal process. We estimate that you will receive relief in [XXX].

If you have any questions about the program, you may send an email to covid19relief@ncdenr.gov or call NCDMF staff in Morehead City, N.C. at (252) 808-8105 or 1-800-682-2632 (toll-free in N.C. only).



ROY COOPER
Governor

DIONNE DELLI-GATTI
Secretary

KATHY B. RAWLS
Director

Date

RE: CARES Act II Application Denial Determination

Dear Mr. ,

Thank you for submitting your appeal of the initial denial of your application for the North Carolina Consolidated Appropriations Act Fisheries Relief Program (CARES Act II) through the North Carolina Division of Marine Fisheries (NCDMF). After careful review of your appeal, the Review Committee has made a final determination that you do not qualify for CARES Act II relief funds with this program. This determination was made based on the documentation you provided, along with any documentation NCDMF had on file. Specifically, you did not qualify due to the following reason(s):

- | | |
|---|--|
| <input type="checkbox"/> Under 18 years of age | <input type="checkbox"/> Nonresident of North Carolina |
| <input type="checkbox"/> Invalid or suspended license/permits | <input type="checkbox"/> Failed to prove 35% loss for March – May 2020 |
| <input type="checkbox"/> Incomplete application/missing documentation | <input type="checkbox"/> Other |

Additional Comments:

No other appeals can be made at this time as NCDMF appeal determinations are final. Please do not attempt to provide any further evidence for your case, as it will not be considered.

If you have any questions about the program, you may send an email to covid19relief@ncdenr.gov or call NCDMF staff in Morehead City, N.C. at (252) 808-8105 or 1-800-682-2632 (toll-free in N.C. only).